

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 170, "Child Care Services," Iowa Administrative Code.

These amendments:

- Enable families to regain Child Care Assistance eligibility after cancellation or denial of assistance when the required information is provided or the interview is completed within 14 days of cancellation or denial. Similar changes are being made in the Food Assistance, Family Investment, Medicaid, HAWK-I, and IowaCare programs to streamline eligibility determination.
- Specify that a family cannot receive Child Care Assistance before the date of application or the date the need for child care services begins, whichever is later. Since families receiving assistance through the Family Investment Program do not have to file a formal application, the effective date of Child Care Assistance shall be the latest of the effective date of Family Investment Program assistance, 30 days before the date the family requested Child Care Assistance, or the date the need for child care services begins.
- Clarify existing policy and practice on application forms and time frames and on documenting the need for protective child care.
- Update or delete outdated language and references, including the requirement that a provider develop an individual program plan for a child whose need for care is protective.

These amendments do not provide for waivers in specified situations. A grace period for reestablishing eligibility without an application after denial or cancellation is beneficial to applicants and recipients. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on November 4, 2009, as **ARC 8274B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Department finds that these amendments confer a benefit on clients who are late returning documentation or miss interviews by extending the period when assistance can be reinstated without the client's submitting a new application and by clarifying eligibility requirements. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of these amendments is waived.

The Council on Human Services adopted these amendments on January 13, 2010.

These amendments are intended to implement Iowa Code section 237A.13.

These amendments shall become effective on March 1, 2010.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [170.1 to 170.5] is being omitted. These amendments are identical to those published under Notice as **ARC 8274B**, IAB 11/4/09.

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